

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO**

Civil Action No. 14-cv-00301-REB-BNB

JAMES ROGER DUNCAN

Plaintiff

v.

JOHN W. HICKENLOOPER, governor,
RICK RAEMISCH, executive director,
WARDEN MILYARD,
WARDEN FALK, and
CASE MANAGER LUECK

Defendant

FINAL JUDGMENT

In accordance with the orders filed during the pendency of this case, and pursuant to Fed. R. Civ. P. 58(a), the following Final Judgment is hereby entered.

Pursuant to the **Order Adopting Recommendation of the United States Magistrate Judge** [#67] of Judge Robert E. Blackburn entered on December 11, 2014.

It is ORDERED that defendants' **Motion to Dismiss Complaint** [#32], filed May 12, 2014, is **GRANTED**.

It is further ORDERED that plaintiff's claims are **DISMISSED** as follows: That plaintiff's claims for monetary relief against defendants in their official capacities are **DISMISSED WITH PREJUDICE**; and that all remaining claims against defendants in both their official and individual capacities are **DISMISSED WITHOUT PREJUDICE**.

It is further ORDERED that judgment with prejudice is entered on behalf of

defendants John W. Hickenlooper, governor; Rick Raemisch, executive director; Warden [Kevin] Milyard; Warden [James] Falk; and Case Manager [Jim] Lueck, and against plaintiff, James Roger Duncan, on the claims for monetary damages against them in their official capacities.

It is further ORDERED that judgment without prejudice is entered on behalf of defendants John W. Hickenlooper, Governor; Rick Raemisch, Executive Director; Warden [Kevin] Milyard; Warden [James] Falk; and Case Manager [Jim] Lueck, and against plaintiff, James Roger Duncan, on all other claims against them in their official and individual capacities.

Dated at Denver, Colorado this 12th day of December, 2014.

FOR THE COURT:
JEFFREY P. COLWELL, CLERK

By: s/ A. Lowe

A. Lowe
Deputy Clerk